



9200/2188

PATENT

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.

Venessa M. Urena

Name of Person Mailing Paper


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June 15, 2004

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/026,388
Filing Date: 12/21/2001
Applicant(s): Gennaro A. Cuomo, et al
Entitled: CONTEXT-SENSITIVE CACHING
Examiner: Kevin L. Ellis
Group Art Unit: 2188
Attorney Docket No.: 7161-22U

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JUN 25 2004

Technology Center 2100

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. §1.181

Sir:

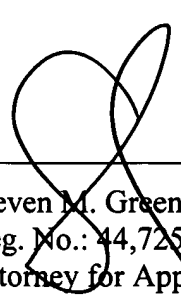
In response to the Notice of Abandonment, mailed June 2, 2004, Applicant hereby petitions the Commissioner to withdraw the holding of abandonment of June 2, 2004.

On October 1, 2003, an Office Action in the above-reference application had been mailed to the Applicant. The Office Action required a response on or before January 1, 2004. Accordingly, on December 30, 2003, the Applicant submitted an amendment responsive to the Office Action. Importantly, the responsive amendment included a certificate of mailing dated December 30, 2003 and signed by Frank Medina, the Office Manager for Christopher & Weisberg, P.A.—counsel to the Applicant. Copies of the amendment including a stamped postcard and an Affidavit from Frank Medina are enclosed in support of the foregoing statement of facts.

On June 2, 2004, despite the mailing of the responsive amendment, the Applicant received a Notice of Abandonment indicating that the response had not been received in the U.S.P.T.O. Consequently, the Applicant through undersigned counsel hereby submits this Petition with supporting documentary evidence and without a fee (as no fee is required) establishing without question that the Applicant timely filed the responsive amendment along with a certificate of mailing on December 30, 2003. Therefore, the above-referenced application did not become abandoned and the Applicant respectfully requests that the Commissioner withdraw the holding of abandonment and allow the patent application to issue forthwith.

Respectfully submitted,

Date: June 15, 2004



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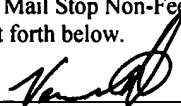
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JUN 25 2004

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Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AFFIDAVIT OF FRANK MEDINA

STATE OF FLORIDA
COUNTY OF Broward

Before me this day personally appeared Frank Medina who, being duly sworn, deposes and says:

1. My name is Frank Medina.

2. I am an Office Manager with the law firm of Christopher & Weisberg, P.A.
3. My responsibilities as an Office Manager include preparing filing packets for submission to the United States Patent and Trademark Office, and reporting to our clients selected communications received from the United States Patent and Trademark Office.
4. When preparing filing packets for submission to the United States Patent and Trademark Office, I always prepare postcards for inclusion with the filing packets. Each postcard lists the contents of the filing packet along with the date of mailing of the filing packet, an Application Serial Number and an Attorney Docket Number. Prior to mailing a filing packet to the United States Patent and Trademark Office, as a matter of routine, I check the filing packet to ensure that the contents of the filing packet match the listing on the postcard.
5. On December 30, 2003 I prepared a filing packet containing a responsive amendment as required by the Examiner in U.S. Patent Application No. 10/026,388 to Gennaro A. Cuomo, et al for CONTEXT-SENSITIVE CACHING.
6. The mailing of December 30, 2003 included a transmittal letter, a responsive amendment, and a postcard. The responsive amendment included a certificate of mailing dated December 30, 2003.
7. On December 30, 2003 I included a postcard along with the filing packet which listed a "Transmittal Letter" and an "Amendment." As is my routine, I checked the contents of the filing packet against the postcard. The filing packet included all documents listed on the postcard.
8. I subsequently received back from the U.S.P.T.O. the postcard. The postcard was stamped as received by the United States Patent and Trademark Office on January 2, 2004.

Signature of Affiant:

Frank Medina
Frank Medina

Sworn to (or affirmed) and subscribed before me this 9th day of June, 2004, by Frank Medina.

Personally known ✓

OR Produced Identification _____

Type of Identification Produced _____

Notary Signature Roberta Sherman

Print, type or stamp name of notary: Roberta Sherman

(SEAL)



Roberta Sherman
My Commission DD156764
Expires November 25, 2006